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1656

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Neil T. Dear *et al.*)
Serial No.: 10/009,571)
Filed: 03/03/2004)
For: Calpains and The use Thereof) Art Unit 1656
Atty. Docket: ABB10010P00630US) Examiner: Sheridan Swope

Interview Summary according to MPEP § 713.04

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the Office communication mailed on March 19, 2007.

Phone Interview March 15, 2007

According to MPEP §713.04, Applicants hereby provide a record of the substance of the interview. On March 15, 2007, Applicants' Attorney, Mark Polyakov, initiated the interview to discuss pending claims and rejections.

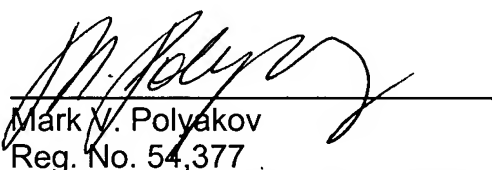
First, Applicants would like to thank the Examiner for taking the time to discuss the case. Applicants believe that the discussion was helpful and clarified some of the issues.

Applicants' Attorney attempted to convince the Examiner that the specification as filed contains enough support to overcome both §101 and §112 rejections. Specifically, it was pointed out that the CAPN11 sequence is expressed most strongly in testis and is involved in germ cell apoptosis or regulation of testis-specific transcription factors. However, the Examiner indicated that she is unlikely to be convinced by arguments alone and would like to see test data demonstrating the enzymatic activity.

No agreement was reached as a result of the interview.

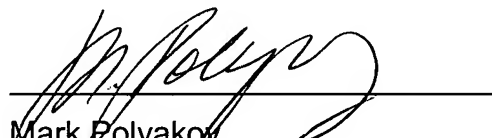
Respectfully submitted,

Date: April 20, 2007


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CERTIFICATE OF MAILING

I hereby certify that this Paper is being deposited with the United States Postal Service with sufficient postage at First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on **April 20, 2007**.


Mark Polyakov